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REMARKS/ARGUMENTS

In the Office Action dated April 4, 2007, claims 1 – 32 were rejected.   No claims have been amended, added, or canceled. Applicants hereby request reconsideration of the application in view of the below-provided remarks.

Claim Rejections under 35 U.S.C. 103

Claims 1, 2, 5 – 15, and 18 – 32 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hama (U.S. Pat. Publ. No. 2004/0202171 A1) in view of Ishizaki et al. (U.S. Pat. No. 7,099,912 B2, hereinafter Ishizaki).

Claim 1

Claim 1 recites:

"A method for managing network traffic comprising:
    explicitly identifying a set of virtual local area network (VLAN) identifiers (IDs) for use with a first service;
    receiving traffic from a customer at a provider edge device (PE), wherein said PE connects to other PEs via a tunnel-capable network;
    classifying said traffic;
    associating said traffic with said first service in response to said classification if said traffic has a VLAN ID from the explicitly identified set of VLAN IDs; and
    associating said traffic with a default service in response to said classification if said traffic does not have a VLAN ID from the explicitly identified set of VLAN IDs." (emphasis added)

Of particular note, claim 1 recites that traffic is associated with the default service if the traffic <u>does not have an explicitly identified VLAN ID</u>. The logic associated with this limitation is summarized as: "if VLAN ID is not explicitly identified, then default service." Managing network traffic as recited in claim 1 enables a specific service to be separated from a default service by explicitly defining the VLAN IDs that are included in the specific service <u>without having to redefine the default traffic class</u>. Extracting a specific service without having to redefine the default traffic class enables flexible and efficient network management as recited in Applicants' specification at paragraph [0009].

In the Office action, Hama is cited for teaching all of the limitations of claim 1 except that Hama "fails to disclose explicitly identifying a set of virtual local area

network (VLAN) identifiers (IDs) for use with a first service and associating traffic based on explicitly identified set of VLAN IDs." (Office action, page 3) Ishizaki is cited for teaching the elements that are missing from Hama.

Applicants assert that a *prima facie* case of obviousness has not been established with respect to claim 1 because Hama in view of Ishizaki does not teach or suggest every claim limitation. In particular, Applicants assert that neither Hama nor Ishizaki teach or suggest a technique for managing network traffic in a tunnel-capable network environment that involves associating traffic with a <u>default service</u> if the traffic <u>does not</u> have an explicitly identified VLAN ID.

Hama

Hama teaches that an explicitly identified VLAN ID corresponds to a specific virtual private network (VPN) just as described in Applicants' specification at, for example, paragraph [0004]. With reference to Fig. 4 of Hama, traffic having an explicitly identified VLAN ID is associated with a specific VPN. For example, explicitly identified VLAN ID N is associated with VPN Label M, explicitly identified VLAN ID N + 1 is associated with VPN Label M + 1, etc. Although Hama teaches that explicitly identified VLAN IDs are associated with VPNs, Hama does not teach or suggest "*associating said traffic with a default service in response to said classification if said traffic <u>does not</u> have a VLAN ID from the explicitly identified set of VLAN IDs*" as recited in claim 1.

With reference to Figs. 6 and 7A – 7C, Hama teaches that Virtual Private LAN (VPL) services and non-VPL services (e.g., Internet) can be supported through Provider Edge (PE) devices and Multi-Protocol Label Switching (MPLS). While Applicants agree that both VPL services and non-VPL services can be supported through PEs and MPLS, neither Figs. 6 and 7A – 7C nor the description associated with these figures teach or suggest a default service or that traffic should be associated with a default service if the traffic does not have an explicitly identified VLAN ID. In particular, Hama does not teach or suggest "*associating said traffic with a default service in response to said classification if said traffic <u>does not</u> have a VLAN ID from the explicitly identified set of VLAN IDs*" as recited in claim 1.

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<u>Ishizaki</u>

Ishizaki teaches that explicitly identified VLAN IDs are associated with specific VPNs. With reference to Fig. 5 of Ishizaki, explicitly identified VLAN IDs (VIDs) are associated with VPN IDs. For example, explicitly identified VID-A is associated with virtual router (VR)-A, explicitly identified VID-B is associated with VR-B, etc. Nowhere does Fig. 5 teach or suggest how to deal with traffic having VLAN IDs that are not explicitly identified in the table of Fig. 5. Additionally, in the description associated with Fig. 5 (column 8, lines 22 – 36), Ishizaki makes no reference to the treatment of traffic that does not include one of the explicitly identified VLAN IDs.

The VPN table of Fig. 5 also includes a field that indicates whether or not a site is allowed to access the public Internet. Although this field indicates whether or not a site is allowed to access the public Internet, the field is associated with an explicitly identified VLAN ID. For example, VID-A is associated with sites Aa and Ab, with both sites having access to the Internet and VID-B is associated with sites Ba and Bb, with site Ba having access to the Internet while site Bb does not have access to the Internet. Although the VPN table in Fig. 5 indicates whether or not a site is allowed to access the public Internet, nowhere does Ishizaki teach or suggest how to deal with traffic having VLAN IDs that are not explicitly identified in the VPN table of Fig. 5.

As with Hama, Ishizaki fails to teach or suggest a default service or that traffic should be associated with a default service if the traffic does not have an explicitly identified VLAN ID. In particular, Ishizaki fails to teach or suggest *"associating said traffic with a default service in response to said classification if said traffic <u>does not</u> have a VLAN ID from the explicitly identified set of VLAN IDs"* as recited in claim 1. Because neither Hama nor Ishizaki teach or suggest *"associating said traffic with a default service in response to said classification if said traffic <u>does not</u> have a VLAN ID from the explicitly identified set of VLAN IDs"* as recited in claim 1, Applicants assert that a *prima facie* case of obviousness has not been established.

Independent Claims 14, 23, and 32

Independent claims 14, 23, and 32 include similar limitations to claim 1. Although the language of claims 14, 23, and 32 differs from the language of claim 1 and the scope of claims 14, 23, and 32 should be interpreted independently of claim 1, Applicants respectfully assert that the remarks provided above in regard to claim 1 also apply to claims 14, 23, and 32.

Dependent Claims 2 – 13, 15 – 22, and 24 – 31

Claims 2 – 13 depend from claim 1, claims 15 – 22 depend from claim 14, and claims 24 – 31 depend from claim 23. Applicants assert that these claims are allowable at least based on an allowable base claim.

Conclusion

Applicants respectfully request reconsideration of the claims in view of the remarks made herein. A notice of allowance is earnestly solicited.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-3444 pursuant to 37 C.F.R. 1.25. Additionally, please charge any fees to Deposit Account 50-3444 under 37 C.F.R. 1.16, 1.17, 1.19, 1.20 and 1.21.

Respectfully submitted,

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